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7 *Attorneys for Plaintiff / Counter-Defendant*  
8 *Nevada Controls, LLC*

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 \* \* \*

12 NEVADA CONTROLS, LLC, a Nevada  
Limited Liability Company,

Case No.: 3:12-cv-00068-HDM-VPC

13 Plaintiff,

14 v.

**PLAINTIFF'S OPPOSITION TO  
MOTION TO WITHDRAW  
AS COUNSEL FOR  
SUNFLOWER  
WIND, LLC**

15 WIND PUMP POWER, LLC, a Kansas  
16 Limited Liability Company, SUNFLOWER  
WIND, LLC, a Kansas Limited Liability  
17 Company; DAN RASURE, an individual,

18 Defendants.  
19 \_\_\_\_\_/

20 Plaintiff Nevada Controls, LLC ("Nevada Controls") hereby opposes the Motion  
21 to Withdraw as counsel for Sunflower Wind, LLC. There have been numerous delays  
22 in this case as a result of the Defendants' conduct. Early in the proceeding,  
23 Defendants retained the services of the Parsons Behle & Latimer firm ("Parsons Firm").  
24 The Parsons Firm moved to withdraw as counsel, which was granted by the Court with  
25 an order requiring that new counsel appear by July 5, 2012. (Doc. #27). Defendants  
26 failed to comply with the Court's Order. As a result, Nevada Controls moved to strike  
27 the answers of the Defendants Wind Pump Power, LLC and Sunflower Wind, LLC.  
28 (Doc. #28).

1 On the eve of the hearing on Nevada Controls' motion, Defendants retained  
2 counsel, Mark Goodman, to represent all of the Defendants. Accordingly, the Court  
3 denied Nevada Controls' motion without prejudice. (Doc. #43).

4 Once again, Defendant Sunflower Wind has presented this court with another  
5 motion to withdraw, this time by its counsel Mark Goodman. (Doc. #60). The reason  
6 for the withdrawal is not clearly stated, other than a vague reference to a conflict of  
7 interest. (See Doc. #60-1 at par. 7). However, there is the suggestion in the moving  
8 papers that attorney David Swenson should be contacted on the matter going forward.  
9 (Id. at par. 9). Yet, no substitution of attorneys has been filed, and it does not appear  
10 that Mr. Swenson is willing to serve as counsel for Sunflower Wind. Rather, the  
11 correspondence attached to the Motion indicates that Mr. Swenson, on behalf of his  
12 clients, has demanded that Defendant Dan Rasure, as manager of Sunflower Wind,  
13 defend this action. (Doc. #60-2). Thus, because it appears that new counsel for the  
14 entity Sunflower Wind has not been secured, and further delay will be encountered on  
15 a case in which Nevada Controls has already been prejudiced by the Defendants'  
16 delay, Nevada Controls hereby opposes the Motion to Withdraw as Counsel.

17 Dated: May 20, 2013.

18 McDonald Carano Wilson LLP

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21 LEIGH GODDARD  
22 JESSICA WOELFEL

23 Attorneys for Plaintiff / Counter-Defendant  
24 Nevada Controls, LLC  
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**CERTIFICATE OF SERVICE**

I hereby certify, under penalty of perjury, that I am an employee of McDonald Carano Wilson LLP and that pursuant to LR 5-3 I caused to be electronically filed on this date a true and correct copy of the foregoing document with the Clerk of the Court using the CM/ECF system addressed to:

Mark Goodman  
Goodman Law Center, P.C.  
348 Mill Street  
Reno, NV 89501  
mark@goodmanlawnevada.com

DATED: May 20, 2013.

  
Pamela Miller